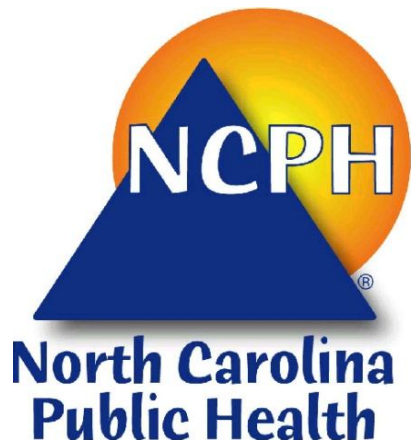


# Public Health Study Commission

## Implementation of House Bill 2: Prohibit Smoking in Certain Public Places – Status Report



Sally Herndon Malek, MPH  
November 5, 2009



# House Bill 2: Signing Was A Celebration!



Photo Credit: Ted Richardson  
News and Observer

# NEW NC Smoke-free Law

## What the new NC law covers:

- Smoke-free restaurants and bars (enclosed areas)
- Smoke-free lodging facilities that serve food and drink—  
(up to 20% of guest rooms may allow smoking)
- Very limited exemptions
  - Cigar bars that meet requirements
  - Private clubs—country clubs or membership clubs with selected membership, non-profit status and restricted food and lodging services
- Allows local government authority to pass some further restrictions for all government grounds and other public places



**How will NC public health and  
NC businesses implement the  
new law?**

## **Webinar Series:**

### **Implementing NC's Smokefree Restaurant and Bars Law:**

What Local Health Directors Need to Know

What Local Health Department Staff Need to Know

What County and City Attorneys Need to Know

**UNC School of Government**  
**NC DHHS, Division of Public Health**

**September 18, 2009**

**September 29, 2009**

**November 18, 2009**



**UNC**

SCHOOL OF GOVERNMENT

[www.sog.unc.edu](http://www.sog.unc.edu)

# ***EDUCATION IS KEY*** **to successful implementation!**

## **Business Education**

**Website**

**[www.smokefree.nc.gov](http://www.smokefree.nc.gov)**

**Business Guides**

**Two Mailings**

**Collaborations with NC  
Restaurant and Lodging  
Association**

## **Public Education**

**Website**

**Earned media**

**Paid media**

**Community events**

**Coasters**





SmokeFree.NC.gov (North Carolina Division of Public Health: Tobacco Prevention and Control Bran - Windows Internet Explorer

http://tpc.ncpublichealth.info/smokefreenc/

File Edit View Favorites Tools Help

Favorites Suggested Sites Development ASP.NET Forums - Forums Asthma Asthma (Test) BCCCP (Test) COA (Live) COA (Test) Color Laboratory -- AWARE ... Commission of Anatomy (Live)

SmokeFree.NC.gov (North Carolina Division of Public ...

SmokeFree NC.gov

North Carolina. Now serving smoke-free air.



**Announcements**

- » House Bill 2 Goes Into Effect Jan. 2, 2010

- Welcome
- The Law
- Proposed Rules
- Frequently Asked Questions
- Tools for Businesses
- Educational Materials
- Secondhand Smoke
- Quitting Tobacco Use
- Contact Us: Local Health Departments
- Complaint Form: Reporting Violation(s)
- Submit a Thank You

Starting January 2, 2010, nearly all restaurants and bars in North Carolina and many lodging establishments will be smoke-free, thanks to S.L 2009-27 (G. S. 130A-496), otherwise known as North Carolina's Smoke-Free Restaurants and Bars Law. On this site you will find information about the law, frequently asked questions, tools for businesses to prepare for the law and information for citizens. Starting January 2, 2010, you can also come here for information on how to report a violation of the law.



DHHS Disclaimer

Last Modified: Monday, October 19, 2009 3:27 PM

Done Internet 100%

# How will we know the new law is working?

## 1. Compliance data

- Local health departments

## 2. Exposure data – pre and post

- Air quality monitoring

## 3. Health outcomes data

- Acute myocardial infarction ED visits & hospitalizations
- Asthma related ED visits





***With education and public support,  
the vast majority of restaurants and bars will quickly  
come into compliance.***

# What constitutes compliance?

**A person in charge of a restaurant, bar, or lodging establishment that is subject to the new law must:**

- Post the required no-smoking signs in conspicuous locations.
- Remove indoor ashtrays and other smoking receptacles.
- Direct any person who is smoking to extinguish the cigarette, cigar, or other item.

# Rules for Successful Implementation

- Simple, common sense
  - Cigar bar reporting
  - Signage requirements for implementation
    - CARE-LINE Number
    - [www.smokefree.nc.gov](http://www.smokefree.nc.gov)
- Supported by bill sponsors
- Public hearing held with no negative comments
- Commission for Public Health adopted proposed rules on October 30



**NO  
SMOKING**  
***-Indoors-***

G.S. 130A-497

1-800-662-7030 [www.smokefree.nc.gov](http://www.smokefree.nc.gov)

# A Complaint-driven System of Enforcement

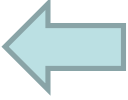
If a manager does not take action,  
complaints can be registered by:

- Calling CARE-LINE: **1-800-662-7030**
- Visiting [\*\*\*www.smokefree.nc.gov\*\*\*](http://www.smokefree.nc.gov)
- Contacting the local health department



# Local Health Department's Roles & Actions

Local health department may act to ensure compliance through:

- Educating  First and foremost!
  - public
  - business
- Promoting the benefits of the new law
- Providing technical assistance to businesses
- Verifying complaints
- Documenting violations
- Imposing administrative penalties



**The vast majority of  
restaurants &  
bars will quickly  
come into  
compliance.**

Customers should ask  
manager to comply.

Owner, manager, and staff  
are responsible.



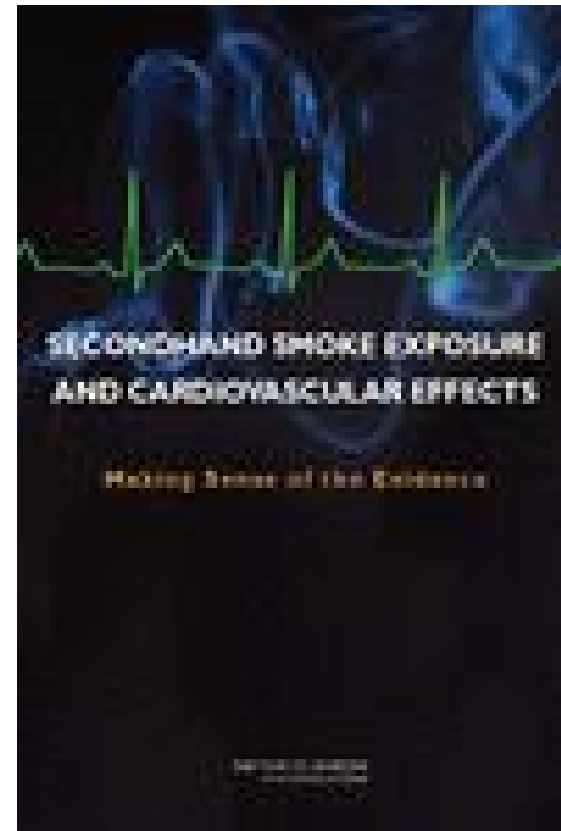
# **New IOM Report:**

## **Secondhand Smoke and Cardiovascular Effects**

- Heart disease is the leading cause of death in the United States, according to the Centers for Disease Control and Prevention (CDC).
- An American has a **heart attack nearly every 25 seconds**, resulting in **death about every minute**, but those who smoke are not the only ones at risk.

### **IOM Concludes:**

- Secondhand-smoke exposure increases the risk of coronary heart disease and heart attacks
- Smoking bans reduce this risk.
- Given the prevalence of heart attacks, and the resultant deaths, **smoking bans can have a substantial impact on public health.**



# In Summary

**Thank you** to all who helped build support for the passage of HB2:  
AN ACT TO PROHIBIT SMOKING IN CERTAIN PUBLIC PLACES  
AND PLACES OF EMPLOYMENT.

- Enclosed areas of almost all restaurants and bars to be smoke-free effective January 2, 2010.
- Smoking is also banned in enclosed areas of establishments such as hotels, motels, and inns, and even convenience stores if food and drink are prepared there and they are subject to the state's sanitation laws.
- The NC Division of Public Health and the NC Association of Local Health Directors are planning for implementation, with a heavy emphasis on educating businesses and the public about the law.
- See [www.smokefree.nc.gov](http://www.smokefree.nc.gov) or call the DHHS CARE-LINE at 1-800-662-7030 for more information (or report a complaint about a possible violation after January 2, 2010).
- The Institute of Medicine's 2009 Report, ***Secondhand Smoke Exposure and Cardiovascular Effects*** gives us even more reason to work toward a comprehensive smokefree law in NC